

GEKP

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LOLITA DUGLAS : CIVIL ACTION

v.

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FRED KAMPER : NO. 17-3850

MEMORANDUM

PRATTER, J.

FILED

AUG 31 2017
KATE BARKMAN, Clerk
By [Signature] Dep. Clerk

AUGUST 31, 2017

Plaintiff Lolita Duglas filed a motion to proceed *in forma pauperis* and a complaint against Fred Kamper. According to the complaint Ms. Duglas lost contact with Mr. Kamper because she lost his telephone number. She filed this lawsuit because she would like to reconnect with Mr. Kamper and apparently seeks the Court's assistance to do so.

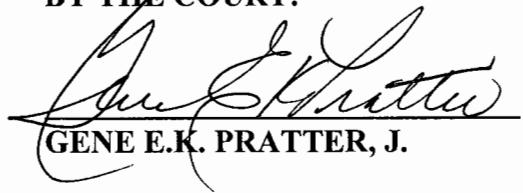
Ms. Duglas's motion to proceed *in forma pauperis* is granted because it appears that she is incapable of paying the fees to commence this civil action.

However, 28 U.S.C. § 1915(e)(2)(B)(i) and (ii) require the Court to dismiss the complaint if it is frivolous or fails to state a claim. A complaint is frivolous if it "lacks an arguable basis either in law or in fact," *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), and is legally baseless if it is "based on an indisputably meritless legal theory." *Deutsch v. United States*, 67 F.3d 1080, 1085 (3d Cir. 1995). To survive dismissal for failure to state a claim, the complaint must contain "sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quotations omitted). "[M]ere conclusory statements[] do not suffice." *Id.*

Ms. Duglas is proceeding *pro se*, and for that reason the Court construes her allegations liberally. *Higgs v. Att'y Gen.*, 655 F.3d 333, 339 (3d Cir. 2011). Nothing alleged or remotely

feasible from the allegations in Ms. Duglas's complaint gives rise to a claim under federal or state law. Accordingly, there is no legal basis for her lawsuit. The Court will therefore dismiss the complaint with prejudice because amendment would be futile. If Ms. Duglas would like to reconnect with Mr. Kamper, she should pursue ways to find him that do not involve filing a lawsuit. An appropriate order follows, which shall be docketed separately.

BY THE COURT:



Gene E.K. Pratter, J.

9/11/17 mail
Douglas
ENTERED

SERIALIZED

CLERK'S OFFICE